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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)
9)
10 Plaintiff,)
11)
12 v.) 2:12-CR-166-KJD-(PAL)
13)
14 DAO DUC DINH,)
15)
16 Defendant.)

17 **PRELIMINARY ORDER OF FORFEITURE**

18 This Court finds that on May 20, 2013, defendant DAO DUC DINH pled guilty to Count
19 One of a Four-Count Criminal Indictment charging him with Conspiracy to Distribute Controlled
20 Substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846. Criminal
21 Indictment, ECF No. 7; Change of Plea Minutes, ECF No. 42; Plea Agreement, ECF No. 43.

22 This Court finds defendant DAO DUC DINH agreed to the forfeiture of the property set forth
23 in the Forfeiture Allegations of the Criminal Indictment and the Plea Agreement. Criminal
24 Indictment, ECF No. 7; Change of Plea Minutes, ECF No. 42; Plea Agreement, ECF No. 43.

25 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
26 America has shown the requisite nexus between property set forth in the Forfeiture Allegations of
the Criminal Indictment, the Plea Agreement, and the offenses to which defendant DAO DUC DINH
pled guilty. Criminal Indictment, ECF No. 7; Change of Plea Minutes, ECF No. 42; Plea Agreement,
ECF No. 43.

1 The following assets are subject to forfeiture pursuant to Title 21, United States Code,
2 Section 853(a)(1) and (2); and Title 21, United States Code, Section 853(p):

- 3 1. \$13,500.00 in United States Currency; and
- 4 2. an *in personam* criminal forfeiture money judgment of \$6,140.00 in United
5 States Currency (“property”).

6 This Court finds the United States of America is now entitled to, and should, reduce the
7 aforementioned property to the possession of the United States of America.

8 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
9 United States of America should seize the aforementioned property.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
11 DAO DUC DINH in the aforementioned property is forfeited and is vested in the United States of
12 America and shall be safely held by the United States of America until further order of the Court.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
14 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
15 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
16 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
17 the name and contact information for the government attorney to be served with the petition,
18 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
20 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
22 shall be served upon the Asset Forfeiture Attorney of the United States Attorney’s Office at the
23 following address at the time of filing:

24 . . .

25 . . .

26 . . .

1 Michael A. Humphreys
2 Assistant United States Attorney
3 Daniel D. Hollingsworth
4 Assistant United States Attorney
5 Lloyd D. George United States Courthouse
6 333 Las Vegas Boulevard South, Suite 5000
7 Las Vegas, Nevada 89101

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
9 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
10 following publication of notice of seizure and intent to administratively forfeit the above-described
11 property.

12 DATED this 5th day of June, 2013.

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15 UNITED STATES DISTRICT JUDGE
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CM/ECF:

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Attorney for David Kim

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